

AN ACT

relating to the regulation of orthotists and prosthetists.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 605.002(14) and (18), Occupations Code, are amended to read as follows:

(14) "Orthotics" means the science and practice of measuring, designing, fabricating, assembling, fitting, adjusting, or servicing an orthosis under an order from a licensed physician, chiropractor, or podiatrist, or an advanced practice nurse or physician assistant acting under the delegation and supervision of a licensed physician as provided by Subchapter B, Chapter 157, and rules adopted by the Texas Medical Board, for the correction or alleviation of a neuromuscular or musculoskeletal dysfunction, disease, injury, or deformity.

(18) "Prosthetics" means the science and practice of measuring, designing, fabricating, assembling, fitting, adjusting, or servicing a prosthesis under an order from a licensed physician, chiropractor, or podiatrist, or an advanced practice nurse or physician assistant acting under the delegation and supervision of a licensed physician as provided by Subchapter B, Chapter 157, and rules adopted by the Texas Medical Board.

SECTION 2. Section 605.2515, Occupations Code, is amended to read as follows:

Sec. 605.2515. ADDITIONAL LICENSE: DEVICE MANUFACTURER. A

1 person licensed to practice orthotics or prosthetics who measures,
2 designs, fabricates, fits, assembles, adjusts, or services an
3 orthosis or a prosthesis under an order from a licensed physician,
4 chiropractor, or podiatrist, or an advanced practice nurse or
5 physician assistant acting under the delegation and supervision of
6 a licensed physician as provided by Subchapter B, Chapter 157, and
7 rules adopted by the Texas Medical Board, for a specific patient is
8 exempt from licensing as a device manufacturer under Subchapter L,
9 Chapter 431, Health and Safety Code. A person licensed to practice
10 orthotics or prosthetics who fabricates or assembles an orthosis or
11 a prosthesis without an order from a licensed physician,
12 chiropractor, or podiatrist, or an advanced practice nurse or
13 physician assistant acting under the delegation and supervision of
14 a licensed physician as provided by Subchapter B, Chapter 157, and
15 rules adopted by the Texas Medical Board, for a specific patient is
16 required to be licensed as a device manufacturer under Subchapter
17 L, Chapter 431, Health and Safety Code.

18 SECTION 3. This Act takes effect September 1, 2011.

H.B. No. 2703

David Newhall

President of the Senate

Joe Straus

Speaker of the House

I certify that H.B. No. 2703 was passed by the House on May 5, 2011, by the following vote: Yeas 146, Nays 0, 1 present, not voting.

Robert Haney

Chief Clerk of the House

I certify that H.B. No. 2703 was passed by the Senate on May 24, 2011, by the following vote: Yeas 31, Nays 0.

Daisy Spaw

Secretary of the Senate

APPROVED:

17 JUN '11

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
4:00 PM O'CLOCK

JUN 17 2011

Debra R. Edwards

Secretary of State